REMARKS

Claims 11, 13-16 and 19-28 stand rejected under 35 U.S.C. §103(a) as being anticipated by Reynolds over Jones (United States Patent No. 4,633,725). Reynolds discloses a moveable control shaft 100 having a bushing 114. When the transmission is in the first or reverse gear as shown in Figure 8, the bushing 114 engages a spring biased plunger member 144 and provides an indication to the operator. When the control shaft 100 is rotated to a high gear, the bushing 114 also rotates and no longer engage the spring biased plunger member 144, shown in Figure 6. As shown in Figures 6, 7 and 8, the control shaft 100 rotates to move the plunger member 114 into and out of engagement with the plunger member 144. Jones discloses a shift rail 110 having a circumferential groove 132. When the sensor 132 contacts the shift rail 110, it is indicated that the shift rail 110 is in a first state. When the shift rail 110 is axially moved to another position so that the sensor 132 is received in the groove 122, it is indicated that the shift rail 110 is in another state. The shift rail 110 slides longitudinally to position the sensor 132 in the groove 122. The Examiner states that Applicant's claims are obvious in view of Reynolds and Jones.

There is no benefit to adding a groove on the control shaft 100 of Reynolds. As shown in Figures 6, 7 and 8 of Reynolds, the control shaft 100 rotates about an axis to engage and disengage the bushing 114 with the plunger member 144. Rotational movement of the control shaft 100 causes an indication of gear. Even if the control shaft 100 included a groove 122 as suggested by Jones, there would be no change in the indication provided to the operator. For example, if the plunger member 144 engaged a groove on the control shaft 100 and the control shaft 100 rotated, the plunger member 144 would still engage the groove as the control shaft 100 rotated between a first or reverse gear and a higher gear. Additionally, if the plunger member 144 did not engage a groove on the control shaft 100, the plunger member 144 would still not engage the groove as the control shaft is rotated. Therefore, there is no benefit to providing a groove on the control shaft 100 of Reynolds as the rotational movement of the control shaft 100 by Reynolds would not move the plunger member 144 into or from the groove. There is no benefit or reason to combining these references. There is no suggestion to combine these references, and Applicant respectfully requests that the rejection be withdrawn.

Claims 11, 13-16 and 19-28 are in condition for allowance. No additional fees are seen to be required. If any additional fees are due, however, the Commissioner is authorized to charge Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds, P.C., for any additional fees or

credit the account for any overpayment. Therefore, favorable reconsideration and allowance of this application is respectfully requested.

Respectfully Submitted,

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Dated: July 21, 2003

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, TC3600, After Final, 703-872-9327 on July 21, 2003.

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